

Application Number 10/075,901

Responsive to Office Action mailed April 23, 2004

REMARKS

This amendment is responsive to the Office Action dated April 23, 2004. Applicant has amended claims 1-5, 11, 12, 13, 18, 19, 21 and 22; canceled claims 7, 8 and 10; and added new claims 23 and 24. Claims 1-6, 9 and 11-24 are now pending.

Claim Rejections Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 1-17 and 18 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner indicated that claims 1-17 and 18 are not enabled because the specification does not teach how an anti-reflective coating is capable of "causing the medium to have less than 1.0 percent reflectively of S-polarized light." The Examiner stated that anti-reflective coatings reduce reflectively but do not "cause" the medium to have this reduced reflectively.

Applicant respectfully disagrees with the Examiner's semantic distinctions and rejections of claims 1-17 and 18 under 35 U.S.C. 112, first paragraph. Applicant's specification provides an enabling disclosure that would have enabled a person with ordinary skill in the art to make and use the invention as originally claimed. Moreover, Applicant submits that the claimed anti-reflective coating does "cause" the medium to have less than 1.0 percent reflectively of S-polarized light insofar as the medium would not have such reflective characteristics but for the anti-reflective coating, and inasmuch as the anti-reflective coating forms an integral part of the claimed medium.

Notwithstanding Applicant's traversal of the rejections of claims 1-17 and 18 under 35 U.S.C. 112, however, Applicant has amended these claims to address the Examiner's semantic concerns. These amendments are unrelated to patentability, but simply clarify the semantics of the claimed invention in a manner requested by the Examiner. The pending claims now specify that the anti-reflective coating limits reflectivity such that the medium exhibits less than 1.0 percent reflectivity of S-polarized light. Applicant believes that this amendment addresses the Examiner's concern with respect to the term "cause."

The Examiner also rejected claim 21 as lacking enablement. In particular, in rejecting claim 21, the Examiner indicated that the specification fails to teach how a hologram can be stored using a laser beam directed toward the medium. The Examiner noted that holographic

Application Number 10/075,901

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recording requires interference between two coherent light beams and, therefore, claim 21 is not enabled because it does not specifically recite two light beams.

With regard to claim 21, Applicant again respectfully traverses the rejection. The language of original claim 21 does not preclude the use of two coherent light beams, but simply recites that the holographic recording uses a light beam. In this sense, the laser beam that is "used," as recited in original claim 21, could be the object beam or the reference beam. However, Applicant submits that original claim 21 does not lack enablement because claim 21 recites a beam, which, for example, could refer to either the object beam or the reference beam. Moreover, claim 21 is cast in open format and clearly may encompass the inclusion of a second beam.

Nevertheless, in the interest of expediting prosecution toward issuance, Applicant has amended claim 21 to recite both the object and reference beam, which should address the Examiner's concerns. This amendment is also unrelated to patentability, and simply clarifies the invention in a manner requested by the Examiner.

In view of the amendments to the claims, addressed above, Applicant believes that all pending claims meet the enablement requirement of 35 U.S.C. 112, first paragraph.

Claim Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-9, 12 and 18-22 under 35 U.S.C. 103(a) as being unpatentable over Karim et al. (Appl. Phys. Lett. 70 (210, 1997)) in view of Murata et al.(US 6,574,039); and rejected claims 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over Karim in view of Murata, and further in view of Chen et al. (US 6,593,977).

The Examiner indicated that the following subject matter would be allowable: *the anti-reflective coating on a holographic medium that makes the S-polarized light incident on the medium at an angle greater than 50 degrees to have reflectively less than 1 percent, where the anti-reflective coating has the specific designs set forth in claims 10-11 and 13-15.*

Applicant agrees with the Examiner that the specific designs set forth in claims 10-11 and 13-15 recite patentable subject matter, but Applicant also believes that the subject matter recited in intervening claims 9 and 12 is not necessary to distinguish the applied references.

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Accordingly, Applicant has amended claim 1 to include the limitations formerly recited in claim 10, but Applicant has not included the addition limitations of intervening claim 9 into independent claim 1. Similarly, Applicant has amended claim 13 to be in independent form, including all the limitations formerly recited in claims 1 and 13, but Applicant has not added the limitations of intervening claim 12 to independent claim 13.

Applicant has also amended claim 18 to include the limitations formerly recited in dependent claim 10, which the Examiner indicated as being patentable subject matter. Applicant has also amended independent method claim 19 to recite the formation of the specific layers formerly recited in claim dependent 10.

New claims 23 and 24 have been added. New claim 23 recites a system including features formerly recited in claim 13, which the Examiner indicated as being patentable subject matter. New claim 24 recites a method claim including the formation of the specific layers formerly recited in claim 13.

Conclusion


All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 09-0069. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

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